

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/14/2010 has been entered. Upon entering amendment, claim 10 has been amended; claims 19-25 have been added.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with T. David Bomzer on 07/29/2010.

The application has been amended as follows: replace the previous claim 10 with the new claim 10

10. (Currently Amended) A lightning diverter for conducting a lightning-induced electrical current and to be placed on structures such as blades on wind turbines, aircraft components, radomes and the like with the purpose of lightning protection,

the diverter comprising:

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a layer of electrically non-conductive material (201) with a plurality of isolated segments of electrically conductive material (105), ~~and~~

said plurality of conductive isolated segments being embedded in the non-conductive material layer so that a common top surface of the diverter includes said conductive isolated segments and said non-conductive material; and

the diverter, in a planar view ~~viewed from above~~, being further characterized in that exposed parts of each of said isolated segments have a circumference described by a same concave shape.

3. Please cancel claims 1-9 and 18.

***Allowable Subject Matter***

4. Claims 10-17 and 19-25 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Regarding claim 10, the prior art of record does not disclose plurality of conductive isolated segments being embedded in the non-conductive material layer so that a common top surface of the diverter includes said conductive isolated segments and said non-conductive material.

Cline (US 4,506,311) discloses a plurality of isolated segments of electrically conductive material having a diamond shape. Cline does not disclose the exposed parts of the isolated segment having a circumference described by a concave shape in plan view.

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Amason et al. (US 4,796,153) discloses a plurality of isolated segments of electrically conductive material having a rounded shape. Amason et al. does not disclose the plurality of conductive isolated segments being embedded in the non-conductive material layer so that a common top surface of the diverter includes said conductive isolated segments and said non-conductive material.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIEN MAI whose telephone number is 571-270-1277. The examiner can normally be reached on M-Th: 8:00-7:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Tien Mai/  
Examiner, Art Unit 2836  
07/26/2010

/Stephen W Jackson/  
Primary Examiner, Art Unit 2836